

PTO/SB/64 (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
P025.03.CIP2+

First named inventor: Wayne Kinney

Application No.: 10/605,757

Art Unit: 2818

Filed: 10/23/2003

Examiner: Ho,Tu Tu V

Title: Multi-Layer Conductive Memory Device

**RECEIVED  
CENTRAL FAX CENTER****AUG 30 2005**Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (571) 273-8300

08/31/2005 TL0111 00000016 10605757

01 FC:2453

750.00 0P

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of \_\_\_\_\_ (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1000.00.

- ☐ has been paid previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (07-05)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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\_\_\_\_\_  
Signature

August 30, 2005

Date

Morgan Malino

Typed or printed name

41,117

Registration Number, if applicable

250 North Wolfe Road

Address

408 737 7200 x 114

Telephone Number

Sunnyvale, CA 94085

Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Part B Fee(s) Transmittal

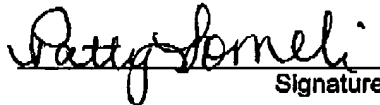
## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

August 30, 2005

Date

  
\_\_\_\_\_  
Signature

Patty Lomeli

Typed or printed name of person signing certificate



250 NORTH WOLFE ROAD, SUNNYVALE CA 94085

TEL: 408.737.7200 FAX 408-737-8067

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AUG 30 2005

## FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Mail Stop Petition / Issue Fee	Morgan Malino 408-737-7200 @114
COMPANY:	DATE:
PTO	AUGUST 30, 2005
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571-273-8300	8
PHONE NUMBER:	RE:
703-308-4357	See Below

☐ URGENT    ☐ FOR REVIEW    ☐ PLEASE COMMENT    ☐ PLEASE REPLY    ☐ PLEASE RECYCLE

## NOTES/COMMENTS:

Docket #	P025.03.CIP+	By:	MEM	Faxing Date	August 30, 2005
Ser. No:	10/605,757	Filing Date:	10/23/03	Inv(s)	Rinerson et al.
Title:	Multi-Layer Conductive Memory Device				

The following is being transmitted to the U.S. Patent Office:

Item	Description	# Pgs
1.	Supplemental ADS	4
2.	Petition for Revival of an Application for patent Abandoned unintentionally Under 37CFR 1.137(b)	2
3.	Part b - Fee(s) Transmittal	1
4.	Credit Card Payment Form	1
5.		
6.		
7.		

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**SUPPLEMENTAL APPLICATION DATA SHEET****RECEIVED  
CENTRAL FAX CENTER****AUG 30 2005****Application Information**

Application Number:: 10/605,757  
Filing Date:: 10/23/2003  
Application Type:: Regular  
Subject Matter:: Utility  
CD-ROM or CD-R?:: None  
Title:: Multi-Layer Conductive Memory Device  
~~Attorney Docket Number:: UNTYP025~~  
Attorney Docket Number:: P025.03.CIP2+  
Request for Early Publication?:: NO  
Request for Non-Publication?:: NO  
Total Drawing Sheets:: 12  
Small Entity?:: YES  
Petition Included?:: NO  
Secrecy Order in Parent Appl.?:: NO

**Applicant Information**

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: US  
Status:: Full Capacity  
Given Name:: Wayne  
Middle Name::  
Family Name:: Kinney  
Name Suffix::  
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State or Province of Residence:: ID  
Country of Residence:: US

Page 1      Supplemental      10/605,757      10/23/2003      8/30/05

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Family Name:: Hsia  
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Page 3      Supplemental      10/605,757      10/23/2003      8/30/05

Phone number:: 408-737-7200 x 114  
Fax Number:: 408-737-8067  
E-Mail Address:: mmalino@unitysemi.com

**Representative Information**

Representative Customer Number:: 42958

**Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	Continuation of	6,753,561	12/26/2002
6,753,561	An application claiming the benefit under 35 USC 119(e)	60/400,849	08/02/02
6,753,561	An application claiming the benefit under 35 USC 119(e)	60/422,922	10/31/02
6,753,561	An application claiming the benefit under 35 USC 119(e)	60/424,083	11/05/02

**Assignee Information**

Assignee name:: UNITY SEMICONDUCTOR CORPORATION  
Street of Mailing address:: 250 NORTH WOLFE ROAD  
City of mailing address:: SUNNYVALE  
State or Province of mailing address:: CA  
Country of mailing address:: US  
Postal or Zip Code of mailing address:: 94085-4510



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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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4295N 7590 05/26/2005

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SUNNYVALE, CA 94085

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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Patty Lomeli	(Depositor's name)
<i>Patty Lomeli</i>	(Signature)
August 30, 2005	(Date)

08/31/2005 TL0222 00000003 10605757

01 FC:2501 700.00 OP  
02 FC:1504 300.00 OP

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,757	10/23/2003	Wayne Kinney	UNTYP025	2756

TITLE OF INVENTION: MULTI-LAYER CONDUCTIVE MEMORY DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$1000	08/26/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
HO, TU TU V	2818	257-295000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Morgan Malino

2.

3.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 1.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Unity Semiconductor Corporation

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.  
☒ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date August 30, 2005

Typed or printed name

Morgan Malino

Registration No. 41,177

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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